

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KEITH GRAUS,

Plaintiff,

CASE NO. 05-74199

-VS-

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

HAROLD WHITE, Warden,

Defendant.  
\_\_\_\_\_ /

**ORDER DENYING MOTION TO DISMISS AND TO AMEND**

On August 28, 2006, Plaintiff's Complaint was DISMISSED WITHOUT PREJUDICE for failure to exhaust his administrative remedies.

Therefore; plaintiff's motion to dismiss defendants Harold White and Dr. Mathia, to amend to clarify complaint and to reissue summons is **DENIED AS MOOT.**

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: August 30, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 30, 2006.

s/Denise Goodine

Case Manager